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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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BRIAN M. BERLINER, ESQ  
O'MELVENY & MYERS LLP  
400 SOUTH HOPE STREET  
LOS ANGELES, CA 90071-2899

EXAMINER

ZHEN, LI B

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 07/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/289,789

Applicant(s)

RUBERG, ALAN T.

Examiner

Li B. Zhen

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2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 June 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 objected to because of the following informalities: the limitation "coupled to a client device" on line 5 should be "coupled to said client device". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 recites the limitation "said device services" in lines 7 – 8. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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4. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,101,555 to Goshey.

As to claim 1, Goshey teaches (column 6, lines 17 – 59) a device service (Windows Application 302, Fig. 3A) for requesting a device, a remote busy proxy (ScanLan DLL 308, Fig. 3A), a remote device driver (WNASPI32.DLL 305 in computer 112b, Fig. 3A) coupled to a client device (121, 120, 118, Fig. 3A), and a device manager (WNASPI32.DLL engine 305, in computer 112d, Fig. 3A).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 – 4, 6 – 8, 12, 13, 15, 17 – 21, 25, 28 – 31, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goshey in view of U.S. Patent No. 5,832,513 to Kennedy.

As to claim 13, Goshey teaches (column 6, lines 17 – 22 and 39 – 56) a device manager (WNASPI32.DLL engine 305 in computer 112d, Fig. 3A) receiving a device request (route request) from a driver service (Windows Application 302, Fig. 3A) and the driver service communicating with a remote device (peripheral devices connected to a remote computer) via remote device driver (WNASPI32.DLL 305 in computer 112b, Fig. 3A). As to registering the driver service with a remote device driver, Goshey teaches

(column 6, lines 53 – 60) the remote device driver (WNASPI32.DLL) transferring data back to the driver service (Windows Application), but does not specify registering the driver service with the remote device.

However, Kennedy teaches (column 6, lines 1 – 12) registering (associate) a driver service (device driver service) with a remote device driver (device driver).

It would have been obvious to apply registering a driver service with a remote device driver because it would create an association between the driver service and the remote device driver and in order to allow the remote device driver to communicate data back to the driver service.

As to claim 25, this is product claim that corresponds to method claim 13; note the rejection of claim 13 above, which also meets this product claim.

As to claims 15, Goshey teaches (column 1, lines 44 – 49) the remote device driver (WNASPI32.DLL) communicating with a host adapter that is connected to the computer via a PCI bus and bus device driver (software drivers, column 11, lines 25 – 30).

As to claims 6, 17, and 28, Goshey teaches (column 4, lines 55 – 60) enforcing a device access policy (access level may be restricted based on custom privilege settings).

As to claims 7, 18, 19, and 29, Goshey as modified by Kennedy teaches (column 6, lines 53 – 60 of Goshey) the remote device driver (WNASPI32.DLL) transferring data back to the driver service (Windows Application) in response to a request from the

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driver service, and maintaining (column 6, lines 1 – 12 of Kennedy) an inventory (dispatch table) to associate devices with driver services.

As to claims 12, 20 and 30, Goshey teaches (column 5, lines 5 – 10) permitting and denying access (grant or deny use privileges) to devices based on a filter (access to peripheral devices may be custom modified).

As to claims 8, 21 and 31, Goshey teaches (column 5, lines 31 – 48) locating (interrogator 204, Fig. 2D) one or more devices on the network (determine what peripheral devices are connected to computers 112b and 112d).

As to claim 2, this is an apparatus claim that is a combination of method claims 13 and 18; note the rejections of claims 13 and 18 above, which also meets this apparatus claim.

As to claim 35, this is the same as claim 2 with the additional limitation of a first terminal and server comprising a processor, memory and computer readable program code. Goshey teaches a first terminal (112b, Fig. 3A) coupled to devices (121, 120, 118, Fig. 3A), server (112d, Fig. 3A) comprising driver service (Windows Application 302, Fig. 3A) and a device manager (WNASPI32.DLL engine 305 in computer 112d, Fig. 3A). Goshey also teaches the terminal and the server comprising a processor (Microprocessor 616, Fig. 6) and memory (RAM 620 and ROM 622, Fig. 6).

As to claim 3, Goshey teaches (column 6, lines 17 – 59) driver service and device manager are coupled across a network to the remote device driver. As to the driver service and device manager reside in a server domain, Goshey teaches (column

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5, lines 13 – 20) each computer may act as both client and server (may be loaded with both Server and Client ScanLAN code).

As to claim 4, Goshey (column 6, lines 25 – 39) teaches a bus proxy (ScanLan DLL 308, Fig. 3A) coupling the driver service to the remote device driver. As to a bus device driver, see claim 15 above.

7. Claims 5, 9 – 11, 14, 16, 22 – 24, 26, 27, and 32 – 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goshey and Kennedy in view of U.S. Patent No. 6,085,227 to Edlund.

As to claims 11, 14 and 26, Goshey teaches (column 6, lines 53 – 60) the remote device driver (WNASPI32.DLL) transferring data back to device manager (WNASPI32.DLL engine), but does not specify communicating configuration data.

However, Edlund teaches (column 4, lines 23 – 35) a remote device sending device configuration data (status information from the device).

It would have been obvious to apply sending configuration data as taught by Edlund to the invention of Goshey because it would provide updated information about the remote device.

As to claims 5, 16 and 27, Goshey does not teach a session manager and an authentication manager.

However, Edlund teaches (column 4, lines 50 – 67; column 5, lines 1 – 10) a session manager (session manager) and an authentication manager (user manager).

It would have been obvious to apply a session manager and an authentication manager as taught by Edlund to the invention of Goshey because it would allow multiple

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driver services from the same computer to access remote devices by creating a separate session for each driver service.

As to claims 22 – 24 and 32 – 34, Goshey does not teach notifying the driver service and the remote device driver of the loss of device in response to closing of a session.

However, Edlund teaches (column 6, lines 50 – 55 and 63 – 67; column 7, lines 1 – 10) notifying the driver service (block 316, notify users) and the remote device driver (command processor 112, Fig. 1; block 318, Fig. 3) of loss of device in response to closing of a session (terminate user session).

It would have been obvious to apply notifying the driver service and the remote device driver of the loss of device due to closing of a session as taught by Edlund to the invention of Goshey because it would prevent attempts to access remote devices without proper authentication.

As to claim 9, this is an apparatus claim that is a combination of method claims 22 and 23; note the rejections of claims 22 and 23 above, which also meet this apparatus claim.

As to claim 10, this is an apparatus claim that corresponds to method claim 24; note the rejection of claim 24 above, which also meet this apparatus s claim.



**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (703) 305-3406.

The examiner can normally be reached on Mon - Fri, 8am - 4:30pm.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Li B. Zhen  
Examiner  
Art Unit 2151

lbz  
July 9, 2002



ST. JOHN COURTENAY III  
PRIMARY EXAMINER